United Nations A/55/754

General Assembly

Distr.: General
31 January 2001

Original: English

Fifty-fifth session
Agenda item 166
Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter dated 25 January 2001 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to your letter of 25 January 2001 concurring with my proposal to appoint Mr. Mohamed El Habib Fassi Fihri as a permanent judge of the International Tribunal for the Former Yugoslavia (see annex I). I have received a corresponding letter from the President of the Security Council. Accordingly, I have appointed Mr. Fassi Fihri as a permanent judge of the International Tribunal, effective 1 March 2001, for the remainder of the term of office of Judge Bennouna, which term will expire on 16 November 2001.

(*Signed*) Kofi A. **Annan**

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Annex I

Letter dated 25 January 2001 from the President of the General Assembly addressed to the Secretary-General

I have the honour to refer to your letter of 11 January 2001 concerning the candidature of Mr. Mohamed El Habib Fassi Fihri for the remainder of the term of office of Mr. Mohamed Bennouna, member of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, whose resignation will be effective 28 February 2001 (see annex II).

In accordance with Article 13 bis, paragraph 2, of the Statute of the International Tribunal, I have reviewed the qualifications of Mr. Fassi Fihri and I am pleased to inform you that I concur with the proposed appointment.

(*Signed*) Harri **Holkeri**

Annex II

Letter dated 11 January 2001 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to Article 13 bis, paragraph 2, of the Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of Article 13 of the Statute, for the remainder of the term of office concerned."

In this connection, I should like to inform you that Judge Mohamed Bennouna, a national of Morocco, has resigned as a Judge of the International Tribunal, effective 28 February 2001.

The Government of Morocco has presented the candidacy of Mr. Mohamed El Habib Fassi Fihri, a national of Morocco, to replace Judge Bennouna. Please find attached his curriculum vitae (see appendix).

It is my view that Mr. Fassi Fihri meets the qualifications which are prescribed in Article 13 of the Statute of the International Tribunal. I also consider that the appointment of Mr. Fassi Fihri would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in Article 13 bis (1) (c) of the Statute.

I should, therefore, like to proceed to consultation with you on the appointment of Mr. Fassi Fihri, in accordance with Article 13 bis, paragraph 2, of the Statute. I look forward to receiving your views on the matter.

(*Signed*) Kofi A. **Annan**

Appendix

Curriculum vitae of Mohamed El Habib Fassi Fihri

[Original: French]

Mr. Mohamed El Habib Fassi Fihri, Exceptional Magistrate, was born in Essaouira on 12 January 1932.

In January 1957, he was a judge of the regional court of Casablanca, then Vice-President of that court in August 1960. He was appointed King's Procurator in November 1962.

In 1964, he was principal private secretary of the Minister of Justice and subsequently, Secretary-General of the Ministry.

At the end of 1971, he became Assistant Public Prosecutor for the Supreme Court and held that office until 25 September 1976, when he was once again appointed Secretary-General of the Ministry of Justice, where he served until 31 March 1982.

In December of 1982, he was appointed Ambassador Extraordinary and Plenipotentiary of His Majesty the King of Morocco to the Republic of Greece. Upon completion of his diplomatic mission, he rejoined the Supreme Court in April 1986 as Chamber President.

On 19 June 1990, Mr. Fassi Fihri was appointed Ambassador Extraordinary and Plenipotentiary of His Majesty the King to the Republic of Austria and Permanent Representative of the Kingdom of Morocco to the United Nations Office in Vienna of the United Nations Industrial Development Organization (UNIDO) and the International Atomic Energy Agency (IAEA), where he served as a Governor. He was also responsible for following the work of the Organization for Security and Cooperation in Europe (OSCE).

In July 1995, he headed the group of Eminent Persons designated by the Seventh Summit of Heads of State to evaluate, restructure and determine new objectives of the Organization of the Islamic Conference.

As a Founding Member of the Friends of the Magistrates of Morocco, he was Director of the magazine published by that professional association from 1961 to 1985.

He is the author of several publications, including a work entitled "Guide to Moroccan Justice".

He was awarded the exceptional honour of the Order of Civil Merit, was promoted to Chevalier, then officer, of the Order of the Throne.

He was decorated with the blue ribbon of the Hellenic Order of Poenix (Greece) as well as with the blue ribbon of the Order of Merit of the Republic of Austria.